

IN THE CIRCUIT COURT OF THE  
FIFTEENTH JUDICIAL CIRCUIT OF  
FLORIDA, IN AND FOR PALM BEACH  
COUNTY, FLORIDA

CASE NO. 2008-CA-031975 XXXX MB

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT, a water management district organized and  
existing under the laws of the State of Florida,

Plaintiff,

v.

THE STATE OF FLORIDA, et al.

Defendants.

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**NOTICE OF INTERVENTION BY AUDUBON**

Pursuant to section 75.07, Florida Statutes, the Florida Audubon Society ("FAS") Inc. and National Audubon Society d/b/a Audubon of Florida ("NAS") (collectively "Audubon"), hereby intervenes as a "person interested" in this proceeding and in support thereof states:

1. FAS is a 501(c)(3) not-for-profit, charitable organization headquartered in Miami, Florida. NAS is a 501(c)(3) not-for-profit charitable organization headquartered in New York, New York, with offices throughout the State of Florida, including Miami, Florida.

2. Audubon is dedicated to restoring and conserving natural ecosystems, focusing on birds, other wildlife, and their habitats.

3. Audubon has worked to protect the Everglades through its environmental leadership, scientific expertise, and policy formulation.

4. Audubon has actively participated, as advocates or litigants, in a wide range of state and federal administrative and legal proceedings, scientific research, conferences and other efforts to protect the lands and aquatic ecosystems, vital to restoring the Everglades.

5. Audubon has members who have used and enjoyed the invaluable wildlife, scenic, recreational, and water resources of Everglades National Park and other wetland areas in the region, the quality of which will be protected and improved by the land purchased with the issuance of the bonds in question.

6. The interests of Audubon and its members in the protection of these resources will be affected by the resolution of this matter.

7. Audubon supports the environmental and financial plans approved by and embodied in the resolutions of the Governing Board of the South Florida Water Management District (the "District"), which are the subject of this action. Audubon opposes attempts by short-sighted private interests aimed at thwarting the District's efforts to restore the Everglades.

WHEREFORE, Audubon respectfully requests that the Court enter final judgment in favor of the District and validate the proposed financing program.

#### CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of this notice has been served this 3<sup>rd</sup> day of February 2009 by U.S. Mail to the following:

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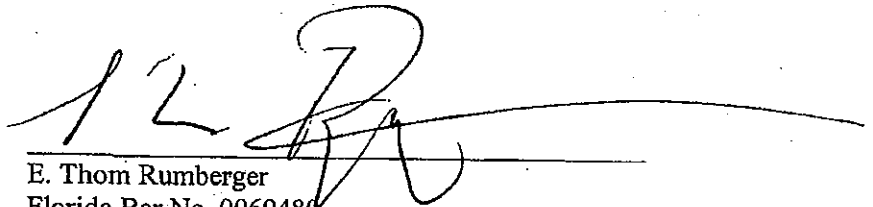
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A handwritten signature in black ink, appearing to read 'E. Thom Rumberger', is written over a horizontal line.

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